



Cincinnati Police Department  
**STAFF NOTES**

July 4, 2006

*Colonel Thomas H. Streicher, Jr., Police Chief*



**Training Section**

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**Chief’s Office**

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## 1. LEGAL UPDATE – SENATE BILL 8 – PER SE DRUG LEVELS

The Great Oaks Police Academy Law Enforcement Professional Development Department will be conducting FREE training on the ***Legal Update on Per Se Drug Levels, Passage of Senate Bill Eight***. The training will update students on Ohio's new OVI law, the impact on law enforcement, and the proper sections to use when charging violators. The effective date of the new law is mid-August 2006.

Training dates and times are as follows:

<u>Date</u>	<u>Time</u>
08/03/06	0800-1200 hours
08/03/06	1300-1700 hours
08/10/06	0800-1200 hours
08/10/06	1300-1700 hours

Dean Ward, Bureau of Alcohol and Drug Testing, will be the presenter.

Personnel interested in attending this training should submit a Form 70T, Request for Outside Training, through the chain of command by July 17, 2006. Questions may be directed to Barry Webb, Training Section, at 357-7561.

## 2. QUARTERLY ETS ANALYSIS

The Second Quarter Employee Tracking Solution (ETS) analysis is due to begin July 1, 2006. This will cover the period from July 1, 2005 through June 30, 2006. As a result of a preliminary audit of First Quarter ETS Analysis, Inspections Section discovered that some district/section/unit supervisors were conducting an analysis of different time frames, which resulted in incomplete or incorrect information being analyzed. Therefore, Inspections Section will extract the necessary data from ETS and post the information on the Department server. District/section/unit supervisors will utilize this information to conduct their analysis.

**Data will be available for analysis on July 3, 2006, after 1300 hours.**

To access the information, users will need to:

1. Double click on the "My Computer" icon.
2. Double click on "Ets\_analysis on 'Cpd\_nw1/Data'(V:)".
3. Double click on the particular PDF file of the organizational group.

All supervisors should review Procedure 16.111, Employee Tracking Solution, and pay particular attention to the areas regarding quarterly reviews and interventions for employees.

**3. TITLE XVI OF THE CINCINNATI MUNICIPAL CODE, "NEIGHBORHOOD QUALITY OF LIFE UNIFIED CODE" (NQOL)**

On June 1, 2006, Cincinnati City Council passed Title XVI of the Cincinnati Municipal Code, the "Neighborhood Quality of Life Unified Code" (NQOL). This code became effective on July 1, 2006. Title XVI is comprised of ordinances which are contained currently in other sections of the Cincinnati Municipal Code, including the Building Code, Fire Code, Health Code, and public safety provisions, and can only be enforced by enforcement officials within those designated City agencies.

The purpose of this unified code is to streamline and facilitate quality of life code enforcement throughout the City. Title XVI permits officials from the Buildings and Inspections, Fire, Health, and Police Departments to uniformly and consistently inspect and issue citations related to the overall condition of a property, which may include violations related to public safety or public health. These code provisions are appropriate for enforcement by any City inspector or police officer and do not require any specialized knowledge unique to the Building, Fire, and Health Departments or code enforcement regarding public safety or public health.

A select group of officers will be trained in the mechanics of enforcing these new ordinances. These officers will serve as a resource for other members of the Department.

The NQOL Code will be available as a link on the Community Problem Oriented Policing (CPOP) website and included in the revised "Police Pamphlet", which will be published later this year. A copy of the Neighborhood Quality of Life Unified Code can be found on line at the following link:

<http://city-egov.rcc.org/BASISCGI/BASIS/council/public/child/DDD/18268.pdf>

**4. LEGAL UPDATE - QUEEN CITY LODGE NO. 69, FOP V. SERB; CASE NO. A0508286**

Attached to these Staff Notes is a legal update from David E. Rager, City Manager, regarding the above mentioned court case.

**5. LEGAL UPDATE – UNITED STATES SUPREME COURT RULING: HUDSON V. MICHIGAN**

Under United States Constitutional law, the exclusionary rule is a legal principle holding that evidence collected or analyzed in violation of the US Constitution is not admissible for a criminal prosecution in a court of law.

Recently the Supreme Court ruled in Hudson v. Michigan that the evidence at issue was still admissible at trial despite being obtained illegally through failure to "knock and announce" in serving a warrant.

Officers should be aware that this is a narrow ruling. Evidence was admitted in this case, but may not be admitted every time an officer fails to follow departmental guidelines. Officers can still be held liable through administrative discipline or civil lawsuits for failing to follow the “no-knock ” and nighttime search warrant requirements.

**6. NEW ADDRESS FOR DR. JAMES DAUM**

As of July 1, 2006, the address for Dr. Daum’s office is as follows:

Daum and Associates  
Goetz Center (next to Deaconess Hospital)  
415 Straight Street, 3<sup>rd</sup> floor  
Cincinnati, Ohio 45219  
Phone: 513-961-7066

**7. THANK YOU LETTERS**

[Attached](#) to these Staff Notes are several letters of appreciation and praise written to the Police Chief for the professionalism displayed by our Department and specifically the following officers:

Lieutenant Terry Theetge  
Police Specialist George Pille  
Police Officer Tim Pappas  
Police Officer Jason Hodge

Sergeant Eric Franz  
Police Officer Jennifer Mitsch  
Police Officer Donald Jordan  
Police Officer Jason Rice

# City of Cincinnati



Interdepartmental  
Correspondence Sheet

June 20, 2006

## FOR YOUR INFORMATION MEMO

TO: Mayor and Members of Council

FROM: David E. Rager, City Manager

SUBJECT: *Queen City Lodge No. 69, FOP v. SERB*; Case No. A0508286

On June 15, 2006, Magistrate Judge Richard Bernat of the Hamilton County Common Pleas Court issued a decision in the State Employment Relations Board ("SERB") case related to Issue 5. The current case is the FOP's appeal of the prior SERB ruling allowing the City to implement the terms of Issue 5, and is presently assigned to Judge Ethna Cooper. Common Pleas judges routinely assign such administrative appeals to Magistrate Bernat, who issues a "magistrate's decision" in those cases.

As you may recall, SERB previously ruled that the City did not commit an unfair labor practice by implementing the terms of Issue 5, with regard to the Assistant Police Chief position. SERB effectively ruled that the vote of Cincinnati citizens, to approve Issue 5, overruled state civil service laws regarding police promotions. In his decision, Magistrate Bernat ruled that the SERB order should be reversed because "the people are not a branch of the government" and the Charter amendment was therefore not an act of a "legislative body."

Any party may object to the magistrate's decision within ten (10) days of the ruling. In this case, the objecting party will be the Ohio Attorney General's Office, which represents SERB with regard to the FOP appeal. At this stage in the litigation, the City is not a party because Judge Cooper previously ruled the City was not entitled to intervene in the case. The City is currently appealing Judge Cooper's decision denying the City the right to intervene in the case. In any event, the City expects the magistrate's decision to be argued again before Judge Cooper, and the case will then likely proceed to the First District Court of Appeals.

The next step in the present case will be the filing of objections with Judge Cooper, related to Magistrate Bernat's decision. Judge Cooper's subsequent determination will result in a decision that may be appealed by either party to the First District Court of Appeals. The City Solicitor's Office is working closely with the Attorney General's Office and will continue to closely monitor this case. The Solicitor's Office will provide updates to Council regarding this matter as appropriate.

c: J. Rita McNeil, City Solicitor



June 23, 2006

Chief Thomas Streicher  
Cincinnati Police Department – District 1  
310 Ezzard Charles Drive  
Cincinnati, OH 45214

Dear Chief Streicher:

I am writing to commend three of your officers for their time and effort in the K-9 presentation. This really made a positive impression on the lives of the participants in the Cincy After School (CAS) program.

On April 21, 2006, Officer Tim Pappas and his K-9 partner "Laser" visited Rockdale Academy and gave a presentation explaining the purposes of the K-9 unit to students between the ages of 5 & 13. From the moment that Officer Pappas began speaking to the students, we were all captivated by his warm personality, sense of humor and his effective methods of interacting with the children. "Laser" displayed his fine training by seeking three items that the children hid around the playground, under Officer Pappas' instruction. Programs such as these are important to establishing positive attitudes and wonderful relationships with the officers of the Cincinnati Police Department.

I look forward to having Officer Pappas and "Laser" return for the 2006-2007 school year. I want to also commend Officer Donald Jordan for assisting me in coordinating this presentation at Rockdale. I have included a few of the thank you letters written by the participants of CAS. I am excited to recruit two other schools, South Avondale and Burton Elementary, to request the K-9 presentation and other programs that the Cincinnati Police Department may offer.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jamell Taylor".

Jamell Taylor  
Site Coordinator, Rockdale Academy  
Urban League of Greater Cincinnati

**WILLIAMSON COUNTY SHERIFF'S OFFICE**  
408 CENTURY COURT FRANKLIN, TENNESSEE 37064 (615) 790-5560  
**Ricky Headley, Sheriff**

June 23, 2006

Cincinnati Police Department  
Chief Thomas H Streicher, Jr  
310 Ezzard Charles Drive  
Cincinnati OH 45214

Chief Streicher,

I would like to take this opportunity to thank your department and specifically Officer George Pille for his assistance in the apprehension of John Helt.

I have been trying to locate Mr. Helt since January of this year. I knew he was no longer in my jurisdiction and was beginning to wonder if anyone would ever locate him since he moved around so much.

Officer Pille's persistence made him my hero today!

Your department is fortunate to have Officer Pille.

Thank you,

*Tameka Sanders*  
Detective Tameka Sanders



Founded 1791

**Hamilton Police Department**

**Neil R. Ferdelman**  
Chief of Police  
City of Hamilton, Ohio

331 South Front Street  
Hamilton, Ohio 45011-2993  
Telephone 513 868-5811 ext. 2009  
FAX 513 785-7420  
[www.hamilton-city.org/depts/police](http://www.hamilton-city.org/depts/police)

June 19, 2006

Colonel Thomas H. Streicher Jr.  
Chief of Police  
Cincinnati Police Department  
310 Ezzard Charles Drive  
Cincinnati, Ohio 45214

Chief Streicher:

In reviewing Hamilton Police activities during the second quarter of this year, an incident stands out that requires our thanks to you and your organization. A young six-year-old child, Brezynea Harris, was found in the early morning hours of April 1, 2006 after she was reported missing earlier in the evening. Luckily, no crime was committed and she was safely returned home unharmed. While she was missing, however, we attempted to utilize every possible resource to ensure the child's safe return.

During the search, we contacted your department and every courtesy was extended to us. You offered manpower, sent canines, and offered any help you could provide. The efforts of your officers and the provision of your equipment contributed to the concerted effort designed to ensure the child's safe return. Specifically, Detective Jennifer Mitsch, four officers from the Cincinnati Area Search Team, and three canines responded immediately to assist with the search.

Your generosity and willingness to assist are sincerely appreciated. Would you please convey our thanks to your personnel who were involved? Please accept my sincere thank you for your assistance.

Sincerely,

Neil R. Ferdelman  
Chief of Police

pc: Sergeant John Nethers





COL. JOSEPH MOKWA, CHIEF OF POLICE

Service, Integrity, Leadership And Fair Treatment To All.

## METROPOLITAN POLICE DEPARTMENT

### HUMAN RESOURCES DIVISION

PHONE: (314) 444-5615  
FAX: (314) 444-5493

CITY OF ST LOUIS • 1200 CLARK AVENUE • ST. LOUIS, MISSOURI 63103

June 20, 2006

Chief Thomas H. Streicher, Jr.  
Cincinnati Police Department  
310 Ezzard Charles Drive  
Cincinnati, OH 45214

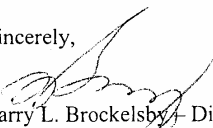
Dear Chief Streicher,

We have just concluded our promotion process for the rank of lieutenant. During that process you allowed Lt. Terry Theetge to participate as an assessor in the process.

I want to thank you for allowing Lt. Theetge to assist with our promotion process. As you know, one of the most important functions in the police department is the promotion process. Your representative was very professional and did an excellent job of helping with our process.

If we can be of service to you in your promotion processes, or in any other way, please let us know. Please convey our sincere appreciation to Lt. Terry Theetge.

Sincerely,

  
Larry L. Brockelsby - Director  
Human Resources Division

**From:** Dave and Joanne Garrett [mailto:djg01@fuse.net]  
**Sent:** Saturday, June 24, 2006 4:27 PM  
**To:** 'Raabe, Andrew'  
**Cc:** thomas.streicher@cincinnati-oh.gov; 'Franz, Eric'; 'bruce d. mcclung'  
**Subject:** P.O. Hodge

Captain:

Just a quick note to let you know what a GREAT Officer that District 3 has in P.O. Hodge.

He showed up at Thursday's Westwood Citizens on Patrol meeting with P.O. Rice. His input and recommendations on how Westwood C.O.P. can contribute to his efforts of combating congregation in the Ream Market (Cavanaha and McHenry) area are invaluable. Additionally, he gave constructive advice for reporting of loitering and noise ordinance issues while on patrol.

Although the audience was small (8 Westwood C.O.P. members present), he was upbeat and appreciative of our Volunteer efforts.

It is this interaction, along with the support of SEARGENT Franz, Chief Streicher, and yourself that make this program work for all of the Citizens of Westwood, and the City of Cincinnati.

We look forward to working in the future with Officer's such as P.O. Hodge and you.

Regards,

Dave Garrett  
Civilian Coordinator – Westwood Citizens on Patrol